

United States District Court, District of Puerto Rico

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U.S. DISTRICT COURT
SAN JUAN, P.R.

In re: The Financial Oversight and
Management Board for Puerto Rico

PROMESA Title III

as representatives of

No. 17 BK 3283-LTS

The Commonwealth of Puerto Rico et al.
Debtors

(Jointly Administered)

In re: The Financial Oversight and
Management Board for Puerto Rico

PROMESA Title III

as representatives of

No. 17 BK 3284-LTS

Puerto Rico Sales Tax Financing
Corporation (Cofina)
Debtor

Request for Documents under 11 USC 107A

As a party in interest in both case, I request electronic documents relating to the January 2019 bond holder vote for the Cofina Plan of Adjustment Doc#4392 ("Plan"), that will answer the following questions:

-What is the total number of bond holders in each "Class" (as defined in the Plan)?

-What is the total dollar amount of bonds in each Class?

-What is the number of bond holders in each Class that voted for the Plan, and the dollar amount of the bonds they voted for the Plan?

-What is the number of bond holders in each Class that voted against the Plan, and the dollar amount of the bonds they voted against the Plan?

-Which "Consummation Cost Parties", as defined in the Plan, voted for the Plan, and the number of bond holders and dollar amount of bonds attributed to the vote of each of these Consummation Cost Parties?

-Which Consummation Cost Parties voted against the Plan, and the number of bond holders and dollar amount of bonds attributed to the vote of each of these Consummation Cost Parties?

-How much money will be paid to each Consummation Cost Party under Section 3.3 of the Plan if the Plan is approved?

Please advise me of the cost for providing these documents in electronic form, ahead of time. Preferably, these documents will be published on Prime Clerk as of interest to all the Cofina bond holders.

Request to Disqualify Votes of Consummation Cost Parties and others in January 2019 vote on Plan of Adjustment Doc #4392

PROMESA is subject to 11 USC 1126(e), which states in part:

"(e) On request of a party in interest, and after notice and hearing, the court may designate any entity whose acceptance or rejection of such plan was not in good faith, or was not solicited or procured in good faith or in accordance with the provisions of this title."

The votes of the following parties should be disqualified under 11 USC 1126(e) because such votes were "not solicited or procured in good faith".

- (1) The votes of the Consummation Cost Parties who hold or control the vote of Cofina bonds and voted for the Plan should be disqualified because they will be paid to approve the Plan (in addition to the replacement value of their bonds).
- (2) The votes of the bond holders who voted for the Plan that were deceived by false and misleading statements in the Plan, Disclosure Statement and the Notice accompanying the ballots, i.e. "Estimated Percentage of Recovery - 56.4%" and "You will receive a distribution

consisting primarily of Cofina bonds approximately equal to 56.14% of your First Subordinate existing securities". These statements are false and misleading in view of lost interest due on August 1, 2017, February 1, 2018 and August 1, 2018, the lower interest rate (4.85%) of the replacement bonds relative to the interest rates of most of the original First Subordinate existing securities, and the longer maturity date of the replacement bonds. The Plan, Disclosure Statement and the Notice accompanying the ballots also fail to adequately notify the bond holders that most claims against the Cofina bonds will not be resolved by the Plan.

Certification

I reside in the state of New York, and own multiple different, Subordinate Cofina Bonds including CUSIP 74529JHN8. Therefore, I am a creditor in Class 5 of the Plan, and a party in interest in both cases. I voted all my Cofina bonds against the Plan.

Sincerely, 
Arthur Samodovitz, January 28, 2019

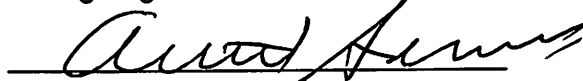
200 Rano Blvd #4C-27,

Vestal, NY 13850

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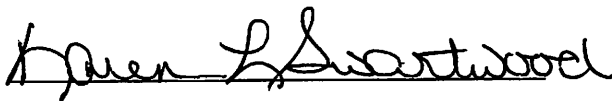
I declare under penalty of perjury that the foregoing "Certification" is true and correct.

Dated: January 28, 2019



Signature of Deponent

Sworn to before me this 28th day of January, 2019



Notary Public

Karen L. Swartwood
Notary Public, State of New York
No. 01SW6154291
Residing in Broome County
Commission Expires October 23, 2022